

**STAFF REPORT
DEVELOPMENT COMMISSION
ZONING MEETING
CITY OF COLUMBUS, OHIO
SEPTEMBER 9, 2010**

1. **APPLICATION:** **Z07-055 (07335-00000-00055)**
 Location: **85 NORTH WILSON ROAD (43204)**, being 0.84± acres located on the west side of Wilson Road, 172± feet north of Alberta Street (010-0110979 & 010-110966; Greater Hilltop Area Commission).
 Existing Zoning: C-3, Commercial and L-C-4, Limited Commercial Districts.
 Request: CPD, Commercial Planned Development District.
 Proposed Use: Fuel sales and convenience retail.
 Applicant(s): The Kroger Co.; c/o Christopher A. Rinehart, Atty.; Rinehart & Rishel, Ltd.; 300 East Broad Street, Suite 190; Columbus, OH 43215.
 Property Owner(s): Ahmad Mazen Mattan; 2468 Woodstock Road; Columbus, OH 43221.
 Planner: Shannon Pine, 645-2208, spine@columbus.gov.

BACKGROUND:

- o This application was tabled at the December 2008 Development Commission meeting because the applicant wanted to expand the site by vacating and purchasing the Grace Street right-of-way. The 0.84± site is comprised of a fuel sales facility zoned C-3, Commercial District, a vacant parcel zoned L-C-4, Limited Commercial District, and Grace Street right-of-way which is in the process of being vacated. The applicant had requested the C-5, Commercial District for the new construction of a fuel sales facility and convenience store. The request has been changed to a CPD, Commercial Planned Development District to accommodate a setback variance for the canopy.
- o To the north is a shopping center in the L-C-4, Limited Commercial District. To the east across Wilson Road are a restaurant and a bank in the C-3 Commercial District. To the south is an office building in the AR-O, Apartment Residential Office District. To the west is shopping center parking in the L-C-4, Limited Commercial District.
- o The site is located within the planning area of *The Greater Hilltop Plan (2001)* which does not provide land use recommendations for this location. This area is covered by the *Greater Hilltop Plan Amendment*, approved by the Development Commission and pending consideration by City Council. The amendment recommends community mixed uses for this site in addition to the application of the Regional Commercial Overlay (RCO).
- o The site is located within the boundaries of the Greater Hilltop Area Commission whose recommendation had not been received at the time this report was written.
- o The CPD text commits to the attached site plan and includes use restrictions,

landscaping, and screening. The applicant has incorporated RCO standards into the development as they apply to landscaping, ground signage, and pedestrian safety*.

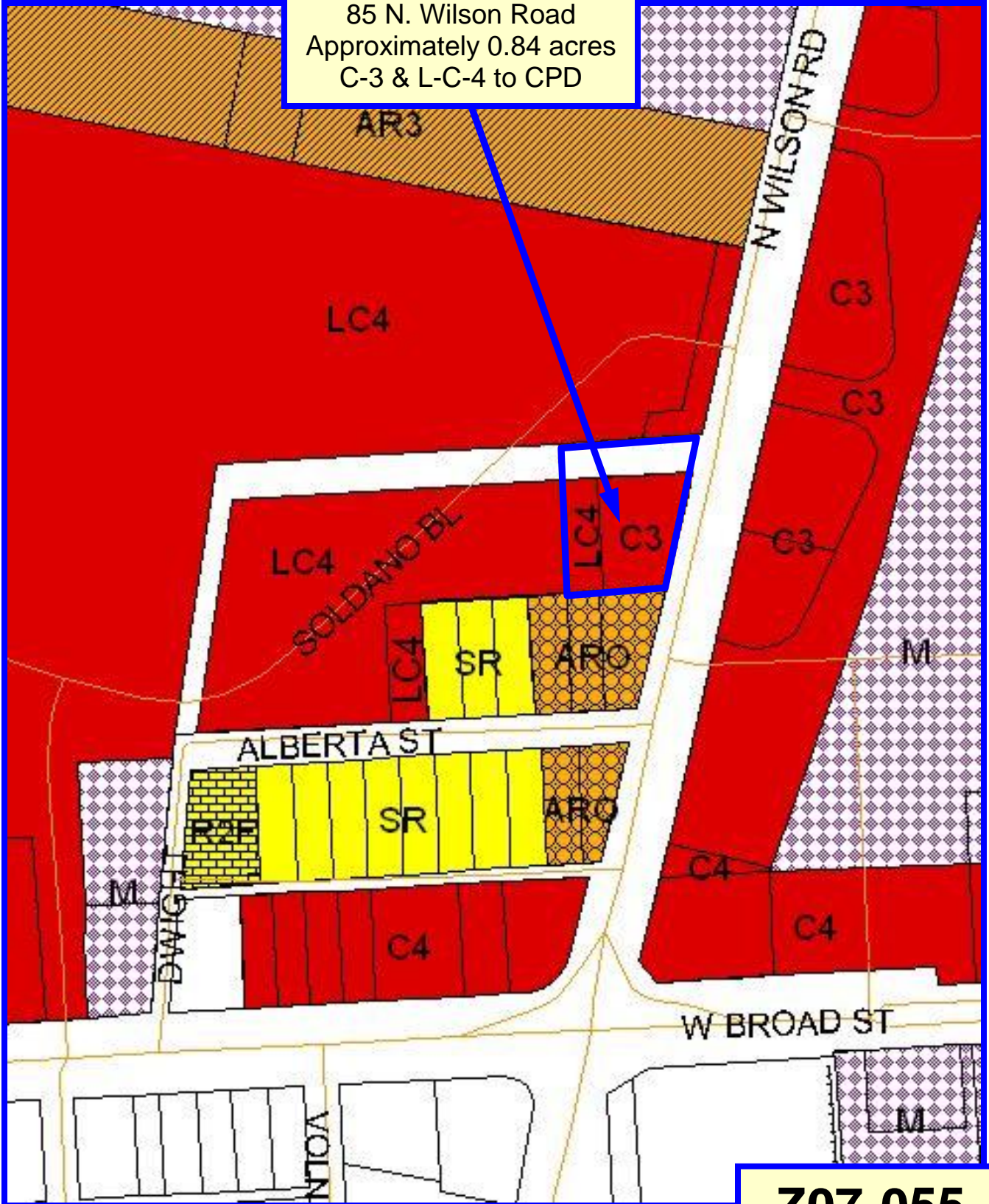
- o The *Columbus Thoroughfare Plan* identifies Wilson Road as 4-2D arterial requiring a minimum of 60 feet of right-of-way from centerline.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

The requested CPD, Commercial Planned Development District will allow the construction of a new fuel sales facility with convenience retail. The request is consistent with the zoning and development patterns of the area, and with the land use recommendations of the pending *Greater Hilltop Plan Amendment*.

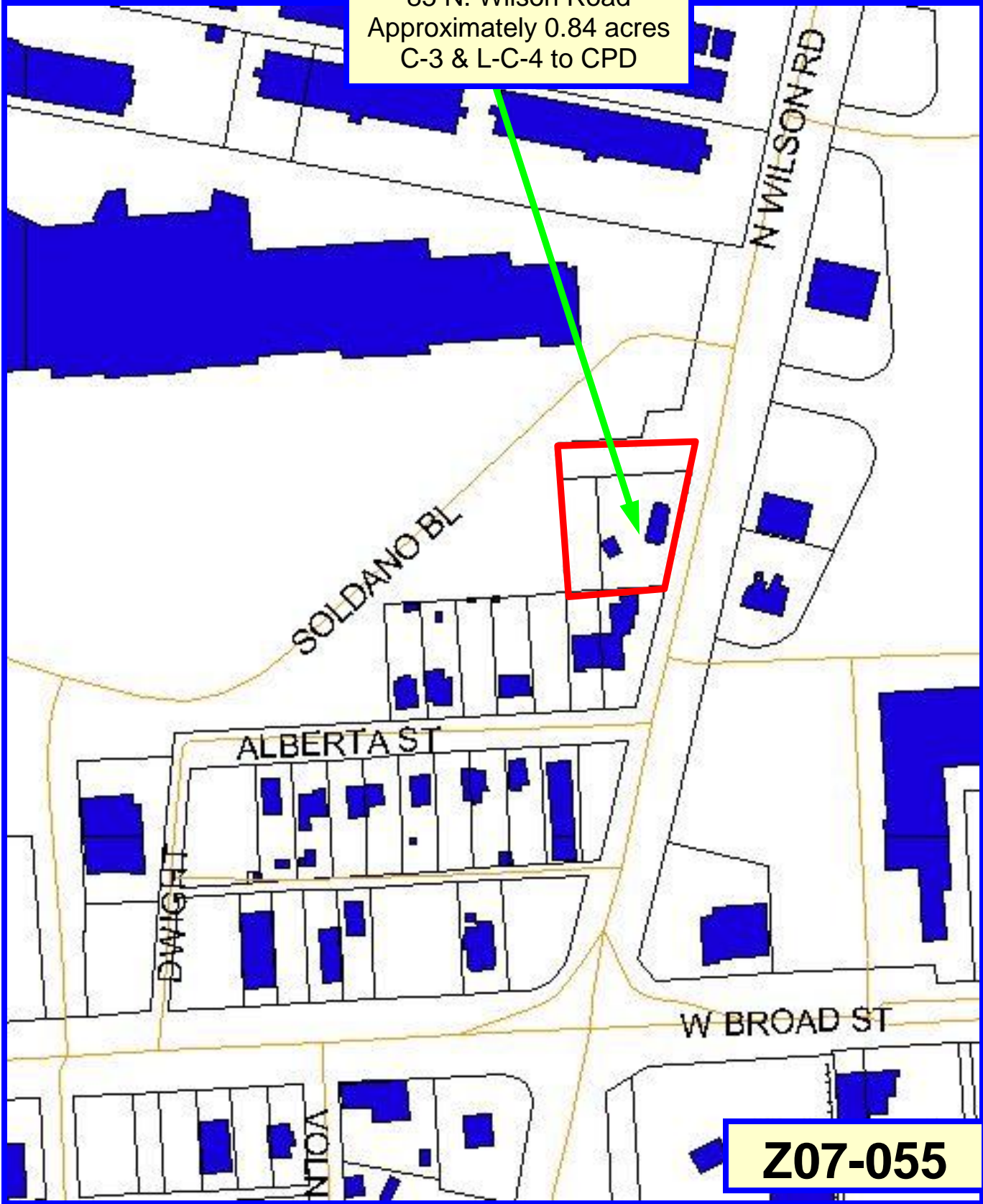
*The Planning and Operations Division of the Public Service Department requested that the applicant remove the painted crosswalks shown on the CPD Plan due to problems with maintenance of the painted areas.

85 N. Wilson Road
Approximately 0.84 acres
C-3 & L-C-4 to CPD

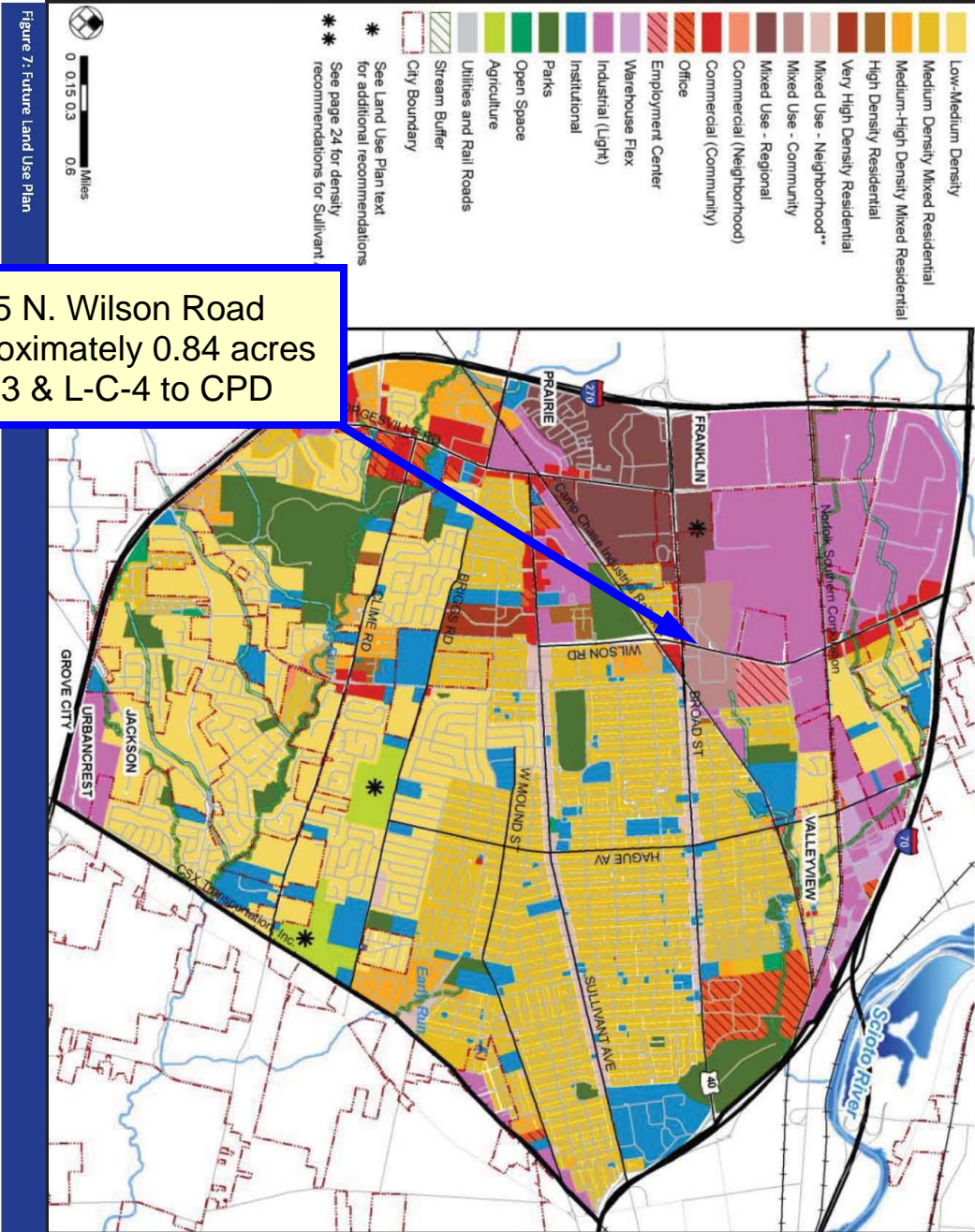


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TRUTH SEEKER

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City of Columbus
Mayor Michael B. Coleman

Department of Development Building Services

757 Carolyn Avenue • Columbus, Ohio • 43224 • (614) 645-7314

FOR USE BY: AREA COMMISSIONS / CIVIC ASSOCIATIONS / ACCORD PARTNERS

STANDARDIZED RECOMMENDATION FORM

Group Name: Greater Hilltop AC Meeting Date: 9-7-10

Case Number: 07335-00000-00055 Case Type: Council Variance Rezoning

Zoning Address: 85 N. Wilson Rd Applicant: The Forger Co.

Person(s) Representing Applicant at Meeting: Chris Reinhart

Conditions Requested by Group (Add continuation sheet if needed): Area Commissions see note at bottom.		Applicant Response	
		Yes	No
1.	_____	<input type="checkbox"/>	<input type="checkbox"/>
2.	_____	<input type="checkbox"/>	<input type="checkbox"/>
3.	_____	<input type="checkbox"/>	<input type="checkbox"/>
4.	_____	<input type="checkbox"/>	<input type="checkbox"/>
5.	_____	<input type="checkbox"/>	<input type="checkbox"/>
6.	_____	<input type="checkbox"/>	<input type="checkbox"/>
7.	_____	<input type="checkbox"/>	<input type="checkbox"/>
8.	_____	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation

Approval Disapproval Conditional Approval (list conditions and applicant response above)

Explain the basis for Approval, Disapproval or Conditional Approval below (Add continuation sheet if needed).

Recommending Commission / Association / Accord Partner Vote: For 14 Against 0

Signature / Title of Authorized Representative: by [Signature] - Zoning Chair

Daytime Phone Number: 614-276-1997

Note to Area Commissions: Ordinances sent to Council will contain only recommendations for "approval" or "disapproval." Recommendations for "conditional approval" will be treated as a disapproval, if, at the time the ordinance is sent to Council, any condition that was checked "No" on the Standardized Recommendation Form has not been resolved as documented in writing by the recommending body or party.

City of Columbus | Department of Development | Building Services Division | 757 Carolyn Avenue, Columbus, Ohio 43224

PROJECT DISCLOSURE STATEMENT



Parties having a 5% or more interest in the project that is the subject of this application.
THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

STATE OF OHIO
COUNTY OF FRANKLIN

APPLICATION # 207-055

Being first duly cautioned and sworn (NAME) Christopher A. Rinehart c/o Rinehart & Rishel, Ltd.
of (COMPLETE ADDRESS) 300 East Broad Street, Suite 190, Columbus, Ohio, 43215
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following
is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the
subject of this application in the following format:

- Name of business or individual
- Business or individual's address
- Address of corporate headquarters
- City, State, Zip
- Number of Columbus based employees
- Contact name and number

1. The Kroger Co. 4111 Executive Parkway, Westerville, Ohio, 43081 1,000+ empl. / Chris Rinehart / 614-221-0717	2.
3.	4.

Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

Chris Rinehart

Subscribed to me in my presence and before me this 26th day of July, in the year 2010

SIGNATURE OF NOTARY PUBLIC

[Signature]

My Commission Expires:

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here

JAMES ROBERT RISHEL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.